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Accordingly, IT IS HEREBY ORDERED that:

1. Defendant's Motion to Dismiss and To Strike, which is document No. 62 in the Court's docket of this case, has been withdrawn by Defendant and is no longer before the Court; and
2. The March 20, 2006, hearing in this matter is VACATED.

IT IS SO ORDERED.

Dated: March 21, 2006
0m8i78

/s/ Anthony W. Ishii
UNITED STATES DISTRICT JUDGE